

## Article - Labor and Employment

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§11–201. IN EFFECT

(a) (1) In this section the following words have the meanings indicated.

(2) “Acquisition” means:

(i) any transfer of stock or assets that results in a change of the person or persons who control a health care facility; or

(ii) the transfer of any stock or ownership interest in a health care facility in excess of 25%.

(3) “Closure” means the complete cessation of all services in a health care facility whose rates are set by the Commission.

(4) “Commission” means the State Health Services Cost Review Commission.

(5) “Downsize” means to reduce the number of employees of an entity by at least 17 full–time equivalent employees in any consecutive 3–month period.

(6) “Merger” means the union of two or more hospitals by the transfer of all the property of one or more of the hospitals to one of the hospitals that continues to exist.

(7) “Partial closure” means the closure of a service line of a health care facility whose rates are set by the Commission.

(8) “Service line” means a grouping of services into higher level categories that reflect similar clinical delivery.

(b) (1) The Department shall establish a program for the retraining of, and job–seeking assistance for, hospital employees who are nonexecutive employees, who are not licensed physicians or physician assistants, and who are unemployed or who may become unemployed as a result of the closing, partial closure, delicensing, downsizing, or acquisition of a hospital or the merging of hospitals under Title 19, Subtitle 3 of the Health – General Article.

(2) The program established under this subsection shall include:

(i) job-seeking assistance with an affiliated hospital or health care entity, an unaffiliated hospital or health care entity, or a nonhealth care related position; and

(ii) training and skills development through programs funded by the Department, by the hospital or health system, or by other programs available to provide training and skills development.

(c) The program established under subsection (b) of this section shall require that the hospital work with employees and, if applicable, the employees' representatives to identify available and appropriate training or retraining programs that may be used in anticipation of the closure, partial closure, or conversion to a freestanding medical facility.

(d) Before the Department uses the program established under subsection (b) of this section, the Department may use other programs in the Department to provide training and assistance to the hospital employees who would be eligible for training and assistance under the program.

(e) The Department may:

(1) use vendors to provide the services required under this section; and

(2) use the Fund established under subsection (g) of this section to pay the vendors.

(f) The Secretary and the Secretary of Health shall adopt regulations to implement this section.

(g) There is a Hospital Employees Retraining Fund. The Fund shall be used:

(1) for the purposes described in this section; and

(2) to pay any and all expenses of the Department in administering this section.

(h) Any unexpended funds remaining in the Hospital Employees Retraining Fund at the end of the fiscal year:

(1) may not revert to the General Fund of the State; and

(2) shall be returned to the hospitals that contributed to the Fund on a pro rata basis.

(i) (1) On or before September 30, 2023, the Department, in conjunction with the Commission, shall submit a report to the Senate Finance Committee and the House Health and Government Operations Committee, in accordance with § 2–1257 of the State Government Article, on the implementation of this section.

(2) The report shall include:

(i) the annual fee contributed by each hospital to the Hospital Employees Retraining Fund;

(ii) any additional fee required by the Commission under § 19–326.1(b) of the Health – General Article and paid to the Hospital Employees Retraining Fund;

(iii) the annual reports submitted by each hospital under § 19–326.1 of the Health – General Article;

(iv) the amount of money drawn from the Hospital Employees Retraining Fund for retraining programs and the Fund balance;

(v) the number of eligible employees that used the program established under subsection (b) of this section during the reporting period;

(vi) the number of eligible employees that used other programs under subsection (d) of this section; and

(vii) the number of eligible employees denied access to the program established under subsection (b) of this section due to funding shortages.

§11–201. // EFFECTIVE SEPTEMBER 30, 2023 PER CHAPTERS 489 AND 490 OF 2020 //

(a) The Department shall establish a program for the retraining and placement of hospital employees who are unemployed or who may become unemployed as a result of the closing, delicensing, downsizing, or possible downsizing of a hospital or the merging of hospitals under § 19–325 of the Health – General Article.

(b) The Secretary and the Secretary of Health shall adopt regulations to implement this section.

(c) There is a Hospital Employees Retraining Fund. The Fund shall be used:

- (1) for the purposes described in this section; and
- (2) to pay any and all expenses of the Department in administering this section.

(d) Any unexpended funds remaining in the Hospital Employees Retraining Fund at the end of the fiscal year may not revert to the General Fund of the State.

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